

JOINT DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names;

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

ENOD2 GENE REGULATORY REGION

, the specification of which

is attached hereto.

X was filed on July 1, 1988 as Application Serial No. 214,297
and was amended on _____ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial Number **Date of Filing (day,month,year)** **Status - Patented, Pending, Abandoned**

NONE

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names: Lorance L. Greenlee, Reg. No. 27,894; Sally A. Sullivan, Reg. No. 32,064; and Ellen P. Winner, Reg. No. 28,547.

BEST AVAILABLE COPY

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Date 11/21/88

Full Name of

First Inventor Franssen

Henk

J.

- Family Name

First Given Name

Second Given Name

Residence

Nijmegen, The Netherlands

Citizenship

Dutch

Post Office

Address Van Slichtenhorststraat 88, 6524 JV NIJMEGEN, The Netherlands

Signature

Date 11/21/88

Full Name of

Second Inventor

Bisseling

Anton

H.

Family Name

First Given Name

Second Given Name

Residence

Ma Ede, The Netherlands

Citizenship

Dutch

Post Office

Address Eikenlaan 3, 6711 Ma Ede, The Netherlands

Signature

Date

Full Name of

Third Inventor

Family Name

First Given Name

Second Given Name

Residence

Citizenship

Post Office

Address

Signature

Date

Full Name of

Fourth Inventor

Family Name

First Given Name

Second Given Name

Residence

Citizenship

Post Office

Address

BEST AVAILABLE COPY

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Henk J. Franssen, Anton H.J. Bisseling
Serial No. : 07/214,297
Filed : July 1, 1988
For : ENOD2 Gene Regulatory Region

REVOCATION OF POWER OF ATTORNEY AND
NEW POWER OF ATTORNEY

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Lubrizol Genetics Inc. is the assignee of record of an application, filed on July 1, 1988 as Serial No. 07/214,297, for an invention entitled "ENOD2 Gene Regulatory Region", by virtue of an assignment to Lubrizol Genetics, Inc. dated November 21, 1988 by assignors Hank J. Franssen and Anton H.J. Bisseling, recorded in the United States Patent and Trademark Office at Reel/Frame 5026/0276 on December 5, 1988. On November 30, 1992, Lubrizol Genetics, Inc. changed its name to Mycogen Plant Science, Inc. pursuant to an Amended and Restated Certificate of Incorporation. Attached hereto is a copy of the Certificate.

Mycogen Plant Science, Inc., having its principal place of business at 4980 Carroll Canyon Road, San Diego, California 92121, certifies by the above that they are the owner of the entire right, title and interest in, to and under the above-identified application, and having on or about the 25th day of May, 1990, appointed the firm of GREENLEE & ASSOCIATES P.C., 5370 Manhattan Circle, Suite 201, Boulder, Colorado 80303 as its attorney(s) to prosecute said application, hereby revokes the Power of Attorney then given, and any other Power of Attorney given herein, and it hereby appoints Roman Saliwanchik, Reg. No. 21,023; David R. Saliwanchik, Reg. No. 31,794; Jeff Lloyd, Reg. No. 35,589; Ted W. Whitlock, Reg. No. 36,965; and Jean Kyle, Reg. No. 36,987, of the firm Saliwanchik & Saliwanchik A Professional Association, as its attorneys to prosecute said continuation application, and to transact all business in the Patent and Trademark Office connected therewith; and requests that all correspondence be sent to:

Jeff Lloyd
2421 N.W. 41st Street, Suite A-1
Gainesville, FL 32606-6669
(904) 375-8100

BEST AVAILABLE COPY

BEST AVAILABLE COPY

CERTIFICATE UNDER 37 CFR §3.73(b)

Mycogen Plant Science Inc. certifies that they are the owner of the entire right, title, and interest in the patent application identified above by virtue of an assignment to Lubrizol Genetics, Inc. dated November 21, 1988 by assignors Henk J. Franssen and Anton H.J. Bisseling, recorded in the United States Patent and Trademark Office at Reel/Frame 5026/0276 on December 5, 1988.

On November 30, 1992, Lubrizol Genetics, Inc. changed its name to Mycogen Plant Science, Inc. pursuant to Amended and Restated Certificate of Incorporation, a copy of which is attached hereto.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or of any patent issuing thereon.

MYCOGEN PLANT SCIENCE, INC.

By: Carlton J. Gill

Title: Vice President

Date: 8/1/94

BEST AVAILABLE COPY